

United States District Court

EASTERN DISTRICT OF WISCONSIN

JUDGMENT IN A CIVIL CASE

CHARLIE TATE, JR.,

Plaintiff,

v.

CASE NUMBER: **06-C-670**

**MILWAUKEE COUNTY JAIL,
MILWAUKEE COUNTY COURTHOUSE,
MILWAUKEE COUNTY SHERIFF'S DEPARTMENT,
JOHN DOE,
JOHN LNU,
DR. TROUTMAN,
JOHN P. RIEGERT, R.N.,
SERGEANT HALE,**

Defendants.

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that the defendants Milwaukee County Jail and the Milwaukee County Sheriff's Department are dismissed from this action pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The plaintiff Charlie Tate, Jr.'s petition to proceed *in forma pauperis* against defendants the Milwaukee County Court House, John or Jane Doe Judge or Commissioner, Jane Doe receptionist, and John or Jane Doe prosecutor, is DENIED.

Charlie Tate, Jr.'s motion for default judgment on his 28 U.S.C. § 1983 action as to damages is GRANTED to the extent that he is awarded compensatory damages against the defendants Dr. Troutman, John P. Riegert, R.N. and Sergeant Hale, jointly and severally in the amount of \$27,000, on his Eighth Amendment claim relating to inadequate medical treatment provided to him for his dislocated shoulder, plus \$7,099.74 (prejudgment interest at the average monthly prime rate of 6.10% compounded annually from the period beginning on February 17, 2006, through the January 27, 2010, date of the entry of this judgment). The total compensatory damages award is \$34,099.74.

Punitive damages are awarded to Charlie Tate, Jr. in the amount of \$9,000 – \$3,000 each from Dr. Troutman, John P. Riegert, R.N. and Sergeant Hale.

Pursuant to 28 U.S.C. § 1961 post-judgment interest is awarded to Charlie Tate, Jr.

In all other respects, Charlie Tate, Jr.'s motion for default judgment as to damages is DENIED.

This action is hereby DISMISSED.

January 27, 2010

Date

JON W. SANFILIPPO

Clerk

s/ Linda M. Zik

(By) Deputy Clerk

APPROVED:

s/ Rudolph T. Randa

*Hon. Rudolph T. Randa
U.S. District Judge*

Dated: January 27, 2010